Appl. No. 09/921,294
Amdt. dated November 9, 2005
Reply to Office Action of August 9, 2005

PATENT

1   **Amendments to the Claims:**

2   This listing of claims will replace all prior versions, and listings of claims in the application:

3   **Listing of Claims:**

4   1.   (currently amended) A method for performance managing a service in a

5   video and data network comprising:

6   identifying one or more users receiving the service;

7   identifying a physical network transport in the video and data network for the one

8   or more users;

9   identifying a virtual network transport in the video and data network for the one

10   or more users;

11   monitoring performance data through the physical network transport and the

12   virtual network transport for the one or more users, wherein the physical network transport

13   comprises shared physical network elements shared by a plurality of customer networks and

14   dedicated physical network elements specific to a customer network, wherein the virtual network

15   transport comprises shared virtual network elements shared by the plurality of customer

16   networks and dedicated virtual network elements specific to the customer network;

17   determining one or more threshold values for the one or more users' service; and

18   determining if the performance data violates at least one of the one or more

19   threshold values, wherein performance data for the shared physical and virtual network transport

20   and dedicated physical and virtual network transport is analyzed to determine if the performance

21   data violates at least one of the one or more threshold values.

1   2.   (original) The method of claim 1, further comprising issuing an alarm if

2   the performance data violates at least one of the one or more threshold values.

1   3.   (original) The method of claim 1, wherein monitoring the performance

2   data comprises monitoring real-time data.

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1   4.   (original) The method of claim 1, wherein monitoring the performance

2   data comprises monitoring nonreal-time data.

1   5.   (original) The method of claim 1, further comprising storing the

2   monitored performance data.

1   6.   (original) The method of claim 5, further comprising creating reports

2   using the stored performance data.

1   7.   (original) The method of claim 6, further comprising issuing an alarm

2   based on the reports.

1   8.   (original) The method of claim 1, further comprising identifying a set of

2   users impacted by the performance data violating the threshold values.

1   9.   (original) The method of claim 1, wherein determining the one or more

2   threshold values comprises identifying a level of service for the one or more user's service; and

3   using the level of service in determining the one or more threshold values.

1   10.   (original) The method of claim 1, wherein the service comprises a Digital

2   Subscriber Line (xDSL) service.

1   11.   (original) The method of claim 1, wherein the service comprises a Very

2   high bit rate DSL (VDSL) service.

1   12.   (original) The method of claim 1, wherein the video and data network

2   comprises a xDSL network.

1   13.   (original) The method of claim 1, wherein the video and data network

2   comprises a VDSL network.

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1   14.   (currently amended) A method for performance managing of a service in

2 a video and data network providing video and data services, wherein the network comprises a

3 video cloud, data cloud, and video/data cloud, the method comprising:

4   identifying one or more users receiving the service;

5   identifying a physical network transport for the video cloud, the data cloud, and

6 the video/data cloud for the one or more users;

7   identifying a logical network transport for the video cloud, the data cloud, and the

8 video/data cloud for the one or more users;

9   monitoring performance data through at least one of the video cloud, the data

10 cloud, and the video/data cloud physical and logical network transports, wherein the physical

11 network transport comprises shared physical network elements shared by a plurality of customer

12 networks and dedicated physical network elements specific to a customer network, wherein the

13 virtual network transport comprises shared virtual network elements shared by the plurality of

14 customer networks and dedicated virtual network elements specific to the customer network;

15   determining one or more threshold values for the one or more users' service; and

16   determining if the monitored performance data violates at least one of the one or

17 more threshold values, wherein performance data for the shared physical and virtual network

18 transport and dedicated physical and virtual network transport is analyzed to determine if the

19 performance data violates at least one of the one or more threshold values.

1   15. - 18.   (canceled)

1   19.   (currently amended) A telecommunications device for performance

2 managing a service in a video and data network, the telecommunications device comprising:

3   logic to identify one or more users receiving the service;

4   logic to identify a physical network transport in the video and data network for the

5 one or more users;

6   logic to identify a virtual network transport in the video and data network for the

7 one or more users;

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8   logic to monitor performance data through the physical network transport and the

9   virtual network transport for the one or more users, wherein the physical network transport

10   comprises shared physical network elements shared by a plurality of customer networks and

11   dedicated physical network elements specific to a customer network, wherein the virtual network

12   transport comprises shared virtual network elements shared by the plurality of customer

13   networks and dedicated virtual network elements specific to the customer network;

14   logic to determine one or more threshold values for the one or more users'

15   service; and

16   logic to determine if the performance data violates at least one of the one or more

17   threshold values, wherein performance data for the shared physical and virtual network transport

18   and dedicated physical and virtual network transport is analyzed to determine if the performance

19   data violates at least one of the one or more threshold values.

1   20.   (previously presented) The telecommunications device of claim 19,

2   further comprising logic to issue an alarm if the performance data violates at least one of the one

3   or more threshold values.

1   21.   (previously presented) The telecommunications device of claim 19,

2   further comprising logic to identify a set of users impacted by the performance data violating the

3   threshold values.

4   22. - 25. (canceled)